



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

86 Chambers Street  
New York, New York 10007

February 2, 2023

**By ECF**

Hon. Kenneth M. Karas  
United States Courthouse  
300 Quarropas Street, Room 533  
White Plains, New York 10601

Re: *Krandle v. Refuah Health Ctr., Inc.*, 22 CV 4977 (KMK);  
*Esposito v. Refuah Health Ctr., Inc.*, 22 CV 5039 (KMK)

Dear Judge Karas:

Before the Court are two actions removed by defendant Refuah Health Center ("Refuah") from New York Supreme Court. The underlying actions concern the theft of medical and other sensitive personal information in the possession of Refuah. Plaintiffs have filed motions to remand these matters to state court. The Court granted the United States until February 3, 2023, to file a Statement of Interest setting forth its position on whether Refuah meets the requirements of the removal statutes. The Government respectfully requests a 45-day extension of this deadline. The Court has previously granted two extensions of this deadline.

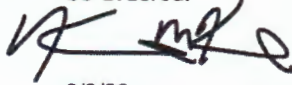
The United States is still evaluating whether to file a Statement of Interest in the above-referenced case. Pursuant to 28 U.S.C. § 517, the Attorney General of the United States is authorized to send any officer of the Department of Justice to "attend to the interests of the United States in a suit pending in a court of the United States, or in the courts of a State, or to attend to any other interest of the United States." The process for deciding whether to file a Statement of Interest involves consultation with the interested government agency and the approval of the U.S. Department of Justice. This process is not yet complete. The United States expects that it will be in a position to inform the Court of its potential participation in this matter, and to file its Statement of Interest should it be authorized to do so, within 45 days. Accordingly, the Government seeks an additional extension of time, until March 20, 2023, to file its Statement of Interest.

We recognize that the motions to remand have been *sub judice* since September and apologize for any inconvenience to the Court and the parties. It does not appear, however, that this delay will cause the parties to miss any pending substantive deadlines.

We thank the Court for its consideration of this request.

Granted, but there will be no more  
extensions granted to the Government.

So Ordered.



2/3/23

Respectfully,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

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cc: All Parties (by ECF)